

To: The Honorable Mayor and City Council

From: Aleem A Ghany, PE Director –Public Works



Date: July 10 , 2012

RE: RESOLUTION AUTHORIZING THE RENEWAL OF AN INTERLOCAL AGREEMENT BETWEEN ALL CO-PERMITTEES NAMED IN NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. FLS000003-003 AND MIAMI-DADE COUNTY PROVIDING FOR PERFORMANCE OF PROFESSIONAL SERVICES BY MIAMI-DADE COUNTY, AND ALSO BETWEEN ALL CO-PERMITTEES PROVIDING FOR IDENTIFICATION AND CONTROL OF POLLUTANT DISCHARGES IN SHARED MUNICIPAL SEPARATE STORM SEWER SYSTEMS, AND TO NEGOTIATE AND EXECUTE CHANGES TO THE SELECTION OF ACTIVITY PARTICIPATION BY CO-PERMITTEES

RECOMMENDATION

The City of North Miami City Council adopt the attached resolution authorizing the City Manager to execute the attached interlocal agreement.

This Interlocal Agreement ("Agreement") is made and entered into between, all **CO-PERMITTEES** named in Florida Department of Environmental Protection (FDEP) Permit Number FLS000003-003, Authorization to Discharge under the National Pollutant Discharge Elimination System. This Agreement provides for identification and control of discharges from any and all Municipal Separate Storm Sewer Systems (MS4s) that may be shared by any of the parties to this Agreement, as required by the State of Florida Department of Environmental Protection (hereinafter referred to as DEP) pursuant to Section 403.0885, Florida Statutes, and DEP Rule 62-624, Florida Administrative Code, and the Environmental Protection Agency (hereinafter referred to as the "EPA") National Pollutant Discharge Elimination System (hereinafter referred to as "NPDES") Permit Regulations for Storm Water Discharges Final Rule (hereinafter referred to as "NPDES Final Rule"). This Agreement further provides for the professional services required to accomplish the tasks set forth in the NPDES Final Rule and the NPDES MS4 Operating Permit that may be initiated and performed by Miami-Dade County on behalf of both the



776 N.E. 125 Street, North Miami, Florida 33161

Council Report

CO-PERMITTEES and **MIAMI-DADE COUNTY**. This Agreement also provides for the negotiation and execution of changes to the selection of activity participation by **CO-PERMITTEES**.

BACKGROUND

The City of North Miami is one of thirty two municipalities that currently are copermittees with Miami-Dade County under the National Pollutant Discharge Elimination System (NPDES) permit number FLS000003. This agreement will provide better control of discharges to any and all Water bodies within Miami –Dade County. This agreement is a five year agreement with annual payments as outlined in appendix A .

Attachments

Proposed Resolution
Interlocal Agreement

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND MIAMI-DADE COUNTY TO IDENTIFY AND CONTROL POLLUTANT DISCHARGES FROM ANY SHARED STORM SEWER SYSTEM WITHIN THE CITY, UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. FLS000003-003, AS REQUIRED BY THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, PURSUANT TO SECTION 403.0885, FLORIDA STATUTES; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, the City of North Miami, Florida ("City"), is a named Co-Permittee under the State of Florida Department of Environmental Protection ("FDEP") Permit Number FLS000003-003 Authorization to Discharge, in accordance with the National Pollutant Discharge Elimination System; and

WHEREAS, the FDEP requires that all state and municipal Co-Permittees must enter into an Interlocal Agreement with Miami-Dade County, pursuant to Section 403.0885, Florida Statutes, and the National Pollutant Discharge Elimination System Permit Regulations, to identify and control pollutant discharges in shared municipal separate storm sewer systems; and

WHEREAS, City Administration respectfully requests that the Mayor and City Council authorize the City Manager to execute the attached Interlocal Agreement, pursuant to requirements of state laws and regulations, and as in the best interests of the public health, safety, and general welfare.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. Authority of City Manager. The Mayor and City Council of the City of North Miami, Florida, hereby, authorize the City Manager to execute an Interlocal Agreement, in substantially the attached form, between the City of North Miami and Miami-Dade County to

identify and control pollutant discharges from any shared storm sewer system within the City, under the National Pollutant Discharge Elimination System Permit No. FLS000003-003, as required by the State of Florida Department of Environmental Protection, pursuant to Section 403.0885, Florida Statutes

Section 2. **Effective Date.** This resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, this _____ day of July, 2012.

ANDRE D. PIERRE, ESQ.
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: _____

Seconded by: _____

Vote:

Mayor Andre D. Pierre, Esq.	_____ (Yes)	_____ (No)
Vice Mayor Jean R. Marcellus	_____ (Yes)	_____ (No)
Councilperson Michael R. Blynn, Esq.	_____ (Yes)	_____ (No)
Councilperson Scott Galvin	_____ (Yes)	_____ (No)
Councilperson Marie Erlande Steril	_____ (Yes)	_____ (No)